

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
DEC 01 2006

[Signature]
CLERK

UNITED STATES OF AMERICA,

CR 06-40081

Plaintiff,

vs.

ORDER

JOSE NAVARRO, a/k/a "Fred,"

Defendant.

Pending before the Court is the Defendant 's Plea Agreement and Factual Basis Statement. A hearing to take the plea was held before the Magistrate Judge on November 15, 2006, and Judge Simko issued a Report and Recommendation recommending to this Court that the plea be accepted and the Defendant be adjudged guilty as charged in Count 1 of the Indictment with Possession with Intent to Distribute a Controlled Substance in violation of 21 U.S.C. § 841(a)(1) and 846. After a careful review of the file, and the time for objections having expired,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, the plea is accepted and the Defendant Jose Navarro, a/k/a "Fred," is adjudged guilty.

Dated this 12th day of December, 2006.

BY THE COURT:

[Signature: Lawrence L. Piersol]
Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: *[Signature: Shelly Margulies]*
DEPUTY